

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & VARIANCE - *
NW/S Frederick Road, approx. * ZONING COMMISSIONER
200' E of Paradise Avenue *
(6350 Frederick Road) * OF BALTIMORE COUNTY
1st Election District *
1st Councilmanic District * Case No. 99-24-SPHXA

John J. Germenko, Legal Owner; *
Dr. Cheryl Burke, Contract Purchaser
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owner of the subject property, John J. Germenko, and the Contract Purchaser, Dr. Cheryl Burke. The Petitioners request a special hearing to approve business parking in a residential zone, a special exception to permit a Class 'A' animal boarding place on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.) and to utilize a portion of the R.O. zoned area for a kennel, pursuant to Section 1B01.1.C.18 of the B.C.Z.R., and variance relief from the B.C.Z.R. as follows: From Section 421.2 to permit a Class 'A' animal boarding place and kennel to be located less than 200 feet from the nearest residential zone; and, from Section 232.2.b to permit a side yard setback of 0 feet in lieu of the required 10 feet for an existing commercial building. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Dr. Cheryl Burke-Schwarz, Contract Purchaser, her parents, Paul and Edith Burke, James W. Mohler, a nearby property owner, and William P. Monk, a

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Date

By

Land Planning and Zoning Consultant. There were no Protestants or other interested persons present.

An examination of the site plan shows that the subject property consists of a gross area of 1.69 acres, more or less, split zoned B.L.-A.S. and R.O., and is located on the north side of Frederick Road, across from its intersection with Paradise Avenue in Catonsville. The site is currently improved with a one-story retail shopping center, which contains a 7-Eleven convenience store and an Allstate Insurance agency. The property is roughly rectangular in shape, with approximately 148' of frontage along Frederick Road. The property is approximately 420' long on the west side and 496 feet on the east side, lying adjacent to a 15' alley which runs behind the residential townhouse community of Paradise. The rear of the property is approximately 163 feet wide and abuts R.O. zoned property owned by Baltimore County. The B.L.-A.S. (business) zoned portion of the site occupies the front section of the property which contains the existing improvements, while the R.O. zoned portion of the property occupies the rear of the site and is presently unimproved. An examination of the photographs submitted at the hearing indicate that there are a variety of commercial/business uses abutting the intersection of Frederick Road and Paradise Avenue; however, as noted above, the eastern property line of the subject site abuts the rear yards of the rowhouse community of Paradise.

Dr. Burke testified and described the veterinary business she proposes to operate from the site. She is a Veterinarian and is licensed in the State of Maryland. Presently, she operates the Paradise Animal Hospital which is located down the street a short distance from the subject property. She indicated that her present quarters are cramped and that she would like to relocate to the subject property in order to expand

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By [Signature]

her operation. Dr. Burke further testified that she wanted to stay in the immediate vicinity in view of the fact that her practice has been located in this community for some time.

Dr. Burke proposes constructing what she described as a "state of the art" veterinary hospital. As shown on the site plan, the hospital building will be connected to the rear of the existing retail shopping center. Although shown on the site plan as being a two-level building, Dr. Burke indicated at the hearing that the building may ultimately reach three stories in height. Apparently, it has been determined that a caretaker's quarters may exist on a third floor and the Petitioner requested to amend her plan accordingly. The proposed building will be 85' wide and 50' deep so as to provide 4250 sq.ft. per level.

Dr. Burke currently employs a staff of 3 full-time veterinarians, and one part-time veterinarian. Additionally, there are approximately 12 other employees of the business. She also indicated that she predominantly treats dogs and cats at her facility and that this type of clientele is not expected to change at the new location. Approximately 90 percent of the animals are of this variety, although there is some treatment/boarding of "pocket" pets including gerbils, ferrets, rabbits, etc. There are no barnyard or exotic animals treated at her facility.

Mr. Monk also testified extensively and described the proposed improvements and existing neighborhood. A series of photographs were submitted which depict the subject property and its environs. Mr. Monk particularly observed the grade of the property and noted the topography of the land to the rear of the building is sloped downward. Thus, although the proposed building will be three stories in height, it will be lower than what might be otherwise thought. Mr. Monk also indicated that the

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Building itself will be located exclusively within the B.L.-A.S. zoned portion of the property. However, there will be an outside exercise area for dogs in the R.O. zoned portion of the property, as shown on the site plan. Other improvements include the installation of Class A landscaping along the eastern property line and the construction of a storm water management pond to the extreme rear of the site.

As noted above, there were no Protestants present at the hearing. Mr. Mohler, who appeared in support of the request, owns property next door to this site. He indicated that Dr. Burke is well known in this community. Apparently, she is well-respected by her customers and the business is an asset to the community. It was indicated that her veterinarian services are needed by many of the residents who live in close proximity to this site.

An examination of Section 101 of the B.C.Z.R. discloses that land uses devoted to the care, boarding, and/or treatment of animals are described by a variety of terms. A "veterinarian" is defined in Section 101 of the B.C.Z.R. as "a person licensed to engage in the practice of veterinary medicine." A "veterinarian's office" is, "an office which is maintained by a veterinarian for the treatment of animals and in which no animal is kept overnight." A "veterinarium" is "any building or portion thereof, which is used, intended to be used, or arranged primarily for the treatment of animals by a veterinarian where overnight care is allowed, and where all areas used for the treatment or housing of animals are odor-proofed and sound-proofed." A veterinarian's office and veterinarium are permitted in the B.L. zone by right, pursuant to Section 230.09 of the B.C.Z.R. Thus, that portion of Dr. Burke's practice devoted to the treat-

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ment of animals is allowed in the building which is proposed to be located entirely within the B.L. zoned portion of this site.

An animal boarding place is defined in Section 101 as "any building, other structure, or land, or any portion thereof, which is used, intended to be used, or arranged for the boarding, breeding, or other care of animals for profit, but excluding a farm, kennel, pet shop, veterinarian's office, or veterinarian." An "animal boarding place, Class A," is "an animal boarding place exclusively for dogs, cats, birds, and/or other household pets." A Class A animal boarding place as proposed by Dr. Burke for the boarding of her clients' animals is permitted in the B.L. zone by special exception only, pursuant to Section 230.13 of the B.C.Z.R. A "kennel" is defined in Section 101 as "any building, other structure, or land, or any portion thereof, which is used, intended to be used, or arranged for the housing of more than 3 dogs, not counting puppies less than 4 months old, for purposes of show, hunting, breeding, or sale, or as pets, excluding a farm or pet shop."

Within the Petition for Special Exception, relief is requested pursuant to Section 230.13 of the B.C.Z.R. for a Class 'A' animal boarding place in the B.L. zone. Relief is also requested for the operation of a "kennel" in the R.O. zone, pursuant to Section 1B01.1.C.18. This citation as to sub-paragraph 18 is incorrect. A review of Section 1B01.1.C. of the B.C.Z.R. identifies the uses permitted in the D.R. zone, by special exception. This Section is also applicable to the R.O. zone, pursuant to Section 204.3.A.1 of the B.C.Z.R. Section 1B01.1.C.18 identifies "radio stations" as permitted by special exception in the B.R. zone. Perhaps the Petitioner is confusing an older edition of the zoning regulations. Under the

current edition, Section 1B01.1.C.22 allows veterinarian's offices in the B.R. zone by special exception.

In any event, it is clear that the function of Dr. Burke's operation is divided into two aspects. First, she maintains a medical treatment facility to minister to ill and injured household animals. Secondly, she allows the boarding of animals. The treatment aspect is clearly permitted within the building by right as a veterinarian. Moreover, the animal boarding place (Class A) is permitted in the building (zoned B.L.) by special exception, pursuant to Section 230.13 of the B.C.Z.R.

As to the activity which occurs outside the building and within the R.O. zoned portion of the property, same can only be permitted by special exception. It was indicated through testimony that the business that occurs outdoors is accessory to the indoor operation. The animals are taken outside only to exercise them as part of rehabilitation following medical treatment, or to provide exercise associated with boarding.

In my judgment, Dr. Burke's proposed operation is appropriate for this site. Whether permitted by special exception or by right, the services which she offers, both boarding and medical, seem appropriate for this locale. In my judgment, this business will not cause a detrimental impact to the surrounding community. Moreover, by definition, the veterinarian building must be odor-proofed and sound-proofed so as to prevent impact on adjacent properties. In that this requirement is imposed for any veterinarian, I believe that there will be no adverse impact on the adjacent community. Thus, the Petition for Special Exception should be approved.

The Petition for Special Hearing is not as confusing. Therein, relief is requested to allow business parking in a residential zone. In this regard, it is to be noted that a parking lot will be added adjacent

to the proposed building to provide additional parking spaces. Part of this lot is located in the R.O. zoned portion of the property. The location of the parking lot appears appropriate in that it will be buffered from the residential homes which abut this site on the eastern property line. In my judgment, the location of this parking lot is appropriate and will not be detrimental to the health, safety and general welfare of the community. Thus, the Petition for Special Hearing should be granted.

Lastly, turning to the variance relief sought, legitimization of the location of the existing building is requested, pursuant to Section 232.2.B of the B.C.Z.R., which requires a 10-foot side yard setback be maintained. As shown on the site plan, the existing building immediately abuts the side property line; however, the proposed building by Dr. Burke will be setback as required by law. Thus, the requested variance is needed to legitimize the location of the existing building and should be granted.

As to the second variance, same is generated by the new business operation. Section 421.2 of the B.C.Z.R. requires that any Class A animal boarding place be located no less than 200 feet from the nearest residential zone. In that the building will be 10 feet from the D.R. 10.5 zone line along the east side, the requested relief is necessary. Moreover, the accessory outdoor exercise area is located within the R.O. zone. Based on testimony and evidence presented, I am persuaded that the requested variance relief should be granted in this regard.

Thus, after due consideration of the testimony and evidence presented, relief as described above shall be approved. However, certain restrictions shall be imposed to insure that there will be no detrimental impact upon the surrounding neighborhood. In my judgment, the main building to be used by Dr. Burke falls within the definition of a veterinarian.

Thus, it must comply with the requirements of same; to wit, it must be odor-proofed and sound-proofed to prevent disturbance to the neighborhood. Second, I shall require that the Petitioner comply with the recommendations set out in the Zoning Plans Advisory Committee (ZAC) comments made by the Department of Environmental Protection and Resource Management (DEPRM). That is, development of the property must comply with the regulations for the protection of water quality, streams, wetlands and flood plains; compliance with the forest conservation regulations, if necessary; and, the outdoor exercise area should not be allowed to adversely impact the storm water management facility. As to this item, Mr. Monk indicated that the storm water management pond could be graded so as to eliminate any impact from the exercise area on the operation of that facility.

I will also require compliance with the ZAC comment submitted by the Office of Planning. The site plan does show Class A landscaping along the eastern boundary; however, I will require that the Petitioner submit a landscape plan for review and approval by Avery Harden the County's Landscape Architect. Thick screening is warranted here in that the outdoor exercise area abuts the rear yards of residential homes. I will also require that elevation drawings of the proposed building be submitted to the Office of Planning for review and approval prior to the issuance of any building permits. I impose this restriction in view of the fact that the site plan submitted shows the proposed building will be two levels, whereas, three floors are now contemplated. I believe it appropriate to allow the Planning Office the opportunity to review these plans to insure that the three-story building is consistent with the neighborhood and will not cause any inappropriate effect. As to the Office of Planning's comment

MADE BY
9/15/98
[Signature]

regarding signage, same should be governed by the current sign regulations or any variance relief which is requested from same.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted, subject to the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of September, 1998 that the Petition for Special Hearing to approve business parking in a residential zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a Class 'A' animal boarding place on the subject property, pursuant to Sections 230.13 and 1B01.1.C.22 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 421.2 to permit a Class 'A' animal boarding place and kennel to be located less than 200 feet from the nearest residential zone; and, from Section 232.2.b to permit a side yard setback of 0 feet in lieu of the required 10 feet for an existing commercial building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following terms and restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

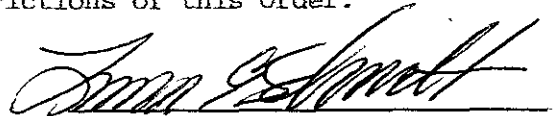
2) The proposed veterinarian building must be odor-proofed and sound-proofed to prevent disturbance to the neighborhood.

3) The Petitioner shall comply with the ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated August 11, 1998, a copy of which is attached hereto and made a part hereof.

4) The Petitioner shall submit a landscape plan for review and approval by Avery Harden, the Landscape Architect for Baltimore County. Thick screening along the eastern boundary is particularly warranted in that the outdoor exercise area abuts the rear yards of residential homes.

5) Prior to the issuance of any building permits, a revised site plan shall be submitted to the Department of Permits and Development Management (DPDM) for inclusion in the case file, and elevation drawings of the proposed building (either two-story or three-story) shall be submitted to the Office of Planning for review and approval.

6) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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9/18/98
[Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

September 18, 1998

Mr. John J. Germenko
9171 Baltimore National Pike
Ellicott City, Maryland 21042

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
NW/S Frederick Road, approximately 200' E of Paradise Avenue
(6350 Frederick Road)
1st Election District - 1st Councilmanic District
John J. Germenko, Legal Owner; Dr. Cheryl Burke, Contract Purchaser
Case No. 99-24-SPHXA

Dear Mr. Germenko:

Enclosed please find a copy of the decision rendered in the
~~above-captioned matter. The Petitions for Special Hearing, Special Excep-~~
tion and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavor-
able, any party may file an appeal to the County Board of Appeals within
thirty (30) days of the date of this Order. For further information on
filing an appeal, please contact the Zoning Administration and Development
Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Dr. Cheryl Burke
6433 Frederick Road, Catonsville, Md. 21228

Mr. William P. Monk
222 Bosley Avenue, Suite B-6, Towson, Md. 21204

People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 6350 Frederick Road

which is presently zoned BL-AS & RO

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve business parking in a residential zone.

0

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/~~owner~~

Dr. Cheryl Burke (410) 744-4224

(Type or Print Name)

Dr. Cheryl Burke

Signature

6433 Frederick Road

Address

Catonsville, MD 21228

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

John J. Germenko

(Type or Print Name)

John J. Germenko

Signature

(Type or Print Name)

Signature

9171 Balto. National Pike (410) 418-5500

Address

Phone No

Ellicott City, MD 21042

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

William Monk, Inc. (410) 494-8931

Name

222 Bosley Ave., Ste. B-6, Towson, MD

Address

Phone No 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: *R.T.* DATE *7-15-98*

ITEM # 24



99-24-SPHKA

ORDER RECEIVED FOR FILING

Date

By



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 6350 Frederick Road

which is presently zoned BL-AS & RO

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a class 'A' animal boarding place per Section 230.13 BCZR

and to utilize a portion of the RO zoned area for a kennel per Section 1B01.1C.18 as stipulated and limited on the plan.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/

Dr. Cheryl Burke (410) 744-4224

(Type or Print Name)

Dr. Cheryl Burke

Signature

6433 Frederick Road

Address

Catonsville, MD 21228

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s)

John J. Germenko

(Type or Print Name)

John J. Germenko

Signature

(Type or Print Name)

Signature

9171 Baltimore National Pike (410) 418-5500

Address

Phone No.

Ellicott City, MD 21042

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

William Monk, Inc. (410) 494-8931

Name

222 Bosley Ave., Ste. B-6, Towson, MD

Address

Phone No. 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: *Kel* DATE *7-15-98*

ITEM # 24

99-24-SPHXA

ORDER RECEIVED FOR FILING

Date

By



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

6350 Frederick Road

which is presently zoned

BL-AS & RO

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1. 421.2 to permit the class A animal boarding place and the kennel to be located less than 200' from the nearest residential zone.
2. 232.2.b. to allow a 0' side yard setback in lieu of the required 10' for the existing commercial building.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. The site's long narrow configuration (500'+) situates it in proximity to a residentially zoned area.
2. The building location was approved and constructed over 20 years ago.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

Dr. Cheryl Burke (410) 744-4224

(Type or Print Name)

Dr. Cheryl Burke

Signature

6433 Frederick Road

Address

Catonsville, MD 21228

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

John J. Germenko

(Type or Print Name)

John J. Germenko

Signature

(Type or Print Name)

Signature

9171 Balto. National Pike (410) 418-5500

Address

Phone No.

Ellicott City, MD 21042

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

William Monk, Inc. (410) 494-8931

Name

222 Bosley Ave., Ste. B-6, Towson, MD 21204

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *P-17*

DATE

7-11-98

ITEM # 29

ORDER RECEIVED FOR FILING

Date

By



Printed with Soybean Ink on Recycled Paper

Revised 9/5/95

99-24-SPHXA

**ZONING DESCRIPTION
JOHN J. GERMENKO PROPERTY
6350 FREDERICK ROAD
1ST ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point of intersection of the northwest side of Frederick Road (MD Rte. 144) 66 feet wide, and the southwest side of a 15 foot alley thence departing the northwest side of Frederick Road and running and binding on the southwest side of said 15 foot alley (1) north 17 degrees 09 minutes 33 seconds west 496.55 feet, (2) south 49 degrees 48 minutes 37 seconds west 162.29 feet, (3) south 17 degrees 11 minutes 23 seconds east 419.26 feet, (4) south 19 degrees 26 minutes 23 seconds east 16.50 feet, (5) north 71 degrees 48 minutes 19 seconds east 148.50 feet to the point of beginning.

Containing 1.59 acres of land, more or less.



99-24-SPAXA
ITEM # 24

AXA9C-100-100

BALTIMORE COUNTY, MARYL D
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

ITEM# 24
No. 056193

DATE 7-15-78 ACCOUNT 2001-6150
070-SPHXA AMOUNT \$ 650 00

RECEIVED FROM: P.A.H. Inc.

FOR: SPHXA # 6350 Frederick Rd.

99-24 SPHA Reg. T.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
7/16/1978 7/15/1978 14:48:55
REL 0001 CASHIER CLIM CML DRGMRK
5 MISCELLANEOUS CASH RECEIPT
Receipt # 057505
CR NO. 056193

650.00 CHECK
Baltimore County, Maryland

99-24-SPHXA

CASHIER'S VALIDATION

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **055942**

DATE 8/6/98 ACCOUNT 001-6150

AMOUNT \$ 100.00 (WCR)

RECEIVED FROM: William Monk Inc

FOR: REVISIONS #110

Case #99-24-SPHXA Item #24
Drop-Off -- No Review

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
8/07/1998 8/06/1998 16:15:03

REF 4803 CASHIER PAGES PER DRAWER 3

5 MISCELLANEOUS CASH RECEIPT

Receipt # 054108

CR NO. 055942

100.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 055942

DATE 8/6/98 ACCOUNT 001-6150
AMOUNT \$ 100.00 (WCR)

RECEIVED FROM: William Monk Inc

FOR: REVISIONS #110
Case #99-24-SPHXA Item #24
Drop-Off -- No Review

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
8/07/1998 8/06/1998 16:15:03
REF 4503 CASHIER PUES PEW DRAMER
5 MISCELLANEOUS CASH RECEIPT
Receipt # 054108 (FLN)
CR NO. 055942

100.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE Case No. 99-24-SPHXA

Petitioner/Developer DR. BURK, ETAL

C/O WILLIAM MONK

Date of Hearing/Closing: 8/25/98

2:00 PM

RM-467

CCB

St-It Fax Note	7671	Date	# of pages
To	W. MONK	From	E. O'KEEFE
Co. Dept.		On	
Phone #	410-8431	Phone #	705-8571
Fax #	410-9903	Fax #	

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at * 6350 FREDERICK RD,

The sign(s) were posted on

8/8/98

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 8/20/98

Patrick M. O'Keefe 8/20/98

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

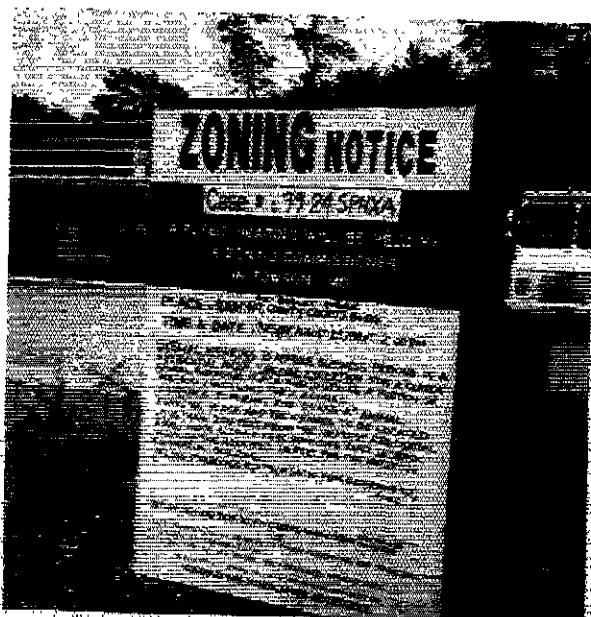
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



99-24-SPHXA
* 6350 FREDERICK
W. MONK / DR. BURK 8/25/98

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
6350 Frederick Road, NW/S of Frederick Rd, 315'
+/- SW from c/l Cedarwood Rd, 1st Election District,
1st Councilmanic

Legal Owners: John J. Germenko
Contract Purchaser: Dr. Cheryl Burke

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case Number: ⁹⁹98-24-SPHXA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of August, 1998, a copy of the foregoing Entry of Appearance was mailed to William Monk, William Monk, Inc., 222 Bosley Avenue, Suite B-6, Towson, MD 21204, representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-24-SHVA
6350 Frederick Road,
NW/SE Frederick Road, 315' +/-
SW from centerline Cedar-
wood Road.

1st Election District
Legal Owner(s):

John J. Serbenko
Contract Purchaser:
Dr. Cheryl Burke

Special Hearing: to approve business parking in a residential area. **Special Exception:** for a Class A animal boarding place and to utilize a portion of the R-O zoned land for a kennel. **Variance:** to permit the "Class A" animal boarding place and the kennel to be located less than 200 feet from the nearest residential zone, and to allow a zero-foot side yard setback in lieu of the required 10 feet for the existing commercial building.

Hearing: Tuesday, August 26, 1998 at 2:00 p.m., in Room 407, County Courts Bldg., 401 Bayley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations, Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3353.

8/055 Aug. 6 C249032

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/6/, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/6/, 1998.

THE JEFFERSONIAN.

A. H. Erickson
LEGAL AD.-TOWSON



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 28, 1998

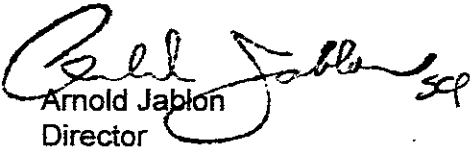
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-24-SPHXA
6350 Frederick Road
NW/S Frederick Road, 315' +/- SW from centerline Cedarwood Road
1st Election District - 1st Councilmanic District
Legal Owner: John J. Germenko
Contract Purchaser: Dr. Cheryl Burke

Special Hearing to approve business parking in a residential area. Special Exception for a "Class A" animal boarding place and to utilize a portion of the R-O zoned land for a kennel. Variance to permit the "Class A" animal boarding place and the kennel to be located less than 200 feet from the nearest residential zone; and to allow a zero foot side yard setback in lieu of the required 10 feet for the existing commercial building.

HEARING: Tuesday, August 25, 1998 at 2:00 p.m. in Room 407, County Courts Building
401 Bosley Avenue


Arnold Jablon
Director

c: William Monk, Inc.
John J. Germenko
Dr. Cheryl Burke

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 10, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
August 6, 1998 Issue - Jeffersonian

Please forward billing to:

William Monk, Inc. 410-494-8931
222 Bosley Avenue
Suite B-6
Towson, MD 21204-4300

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-24-SPHXA
6350 Frederick Road
NW/S Frederick Road, 315' +/- SW from centerline Cedarwood Road
1st Election District - 1st Councilmanic District
Legal Owner: John J. Germenko
Contract Purchaser: Dr. Cheryl Burke

Special Hearing to approve business parking in a residential area. Special Exception for a "Class A" animal boarding place and to utilize a portion of the R-O zoned land for a kennel. Variance to permit the "Class A" animal boarding place and the kennel to be located less than 200 feet from the nearest residential zone; and to allow a zero foot side yard setback in lieu of the required 10 feet for the existing commercial building.

HEARING: Tuesday, August 25, 1998 at 2:00 p.m. in Room 407, County Courts Building
401 Bosley Avenue



Lawrence E. Schmidt 59

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 24

Petitioner: DR. CHERYL BURKE

Location: 6350 FREDERICK ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: WILLIAM MONK INC.

ADDRESS: 222 BOSLEY AVE SUITE B6
TOWSON, MD. 21204-4300

PHONE NUMBER: (410) 494-8931

AJ:ggs

(Revised 09/24/96)

99.24.SPHXA

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ITEM # 24

ZONING NOTICE

Case No.: 99-24 SPHXA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO APPROVE BUSINESS PARKING
IN A RESIDENTIAL ZONE. SPECIAL EXCEPTION FOR A
CLASS 'A' ANIMAL BOARDING PLACE AND TO UTILIZE A PORTION
OF THE R O ZONED AREA FOR A KENNEL. VARIANCE
TO PERMIT THE CLASS A ANIMAL BOARDING PLACE AND THE
KENNEL TO BE LOCATED LESS THAN 200' FROM THE
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM HEARING CALL 887-3391.

NEAREST RESIDENTIAL ZONE AND TO ALLOW A ZERO (0)
SIDE YARD SETBACK IN LIEU OF THE REQUIRED 10' FOR

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
THE EXISTING COMMERCIAL BLDG.

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 19, 1998

Mr. William Monk
William Monk, Inc.
222 Bosley Avenue, Suite B-6
Towson, MD 21204

RE: Item No.: 24
Case No.: 99-24-SPHXA
Location: 6350 Frederick Rd.

Dear Mr. Monk:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July, 15, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: August 21, 1998

FROM: *pub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 24, 1998
Item Nos. 057, 059, 060, 062, 063,
064, 065, 066, and 067

Revised plans (with no review) for
Case #99-24-SPHXA
(6350 Frederick Road)

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE0824.NOC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: August 10, 1998

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 3, 1998
Item Nos. 019, 021, 022, 023, 024,
and 029

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE0803.NOC



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

July 31, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: 9420 Holding Corp. 022
John J. Germenko 024
Halethorpe Community Church 026

Location: DISTRIBUTION MEETING OF July 27, 1998

Item No.: 022, 024, and 026 Zoning Agenda:

Gentlemen:

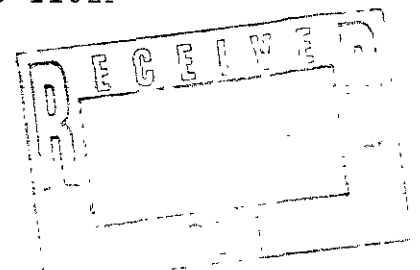
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 7-24-98
Item No. 024 RT

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

R. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 7/27/98

DATE: 7/27/98

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

19

20

21

22

(24)

25

RBS:sp

BRUCE2/DEPRM/TXTS8P

Res
8/25

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: August 21, 1998

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 6350 Frederick Road

INFORMATION:

Item Number: 24
Petitioner: Dr. Cheryl Burke
Property Size: 1.59± acres
Zoning: BL-AS
Requested Action: Special Exception
Hearing Date: August 25, 1998

The redevelopment of the property located at 6350 Frederick Road consists of adding a two-story Veterinarian's Office, and Class A Animal Boarding Place to an existing retail center containing a 7-11 convenience store. The petitioner requests a Special Exception, Special Hearing for business parking in a RO (Residential Office Zone) and setback variances.

The property in question is within the area of the Southwest Revitalization Strategy, and the Paradise-East Catonsville Enhancement Study adopted by the Baltimore County Council on 12/15/97, and 10/4/82, respectively, as amendments to the Baltimore County Master Plan 1989-2000. The proposed redevelopment is consistent with the aforementioned plans and enhances the local neighborhood business area.

SUMMARY OF RECOMMENDATIONS:

This office recommends approval subject to the following:

1. A landscape plan should be submitted to the County's Landscape Architect showing adequate screening for the new parking lot.
2. Any proposed freestanding sign should be added to the existing joint identification sign.
3. Elevation drawings should be submitted to the Office of Planning prior to issuance of building permits.

Section Chief: _____

Jeffrey W. Long

AFK:DI:lsn

TO: Arnold Jablon

Date: August 11, 1998

FROM: R. Bruce Seeley *MS*

SUBJECT: Zoning Item #024

Paradise Animal Hospital

Zoning Advisory Committee Meeting of July 27, 1998

----- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

----- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

----- Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

X The kennel run will not be allowed within the Stormwater Management facility.

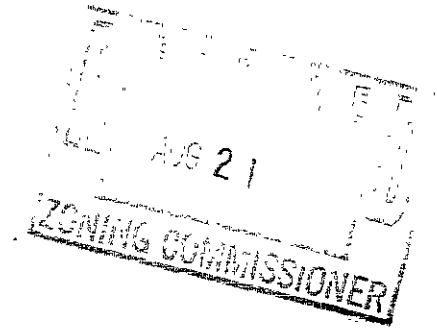
*per bell
OK Mont*

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exercise*

*OK could
be
stopped
stopped*

8/25

JAMES W. MOHLER
7 Somerset Road
Catonsville, Maryland 21228



August 18, 1998

Mr. Lawrence Schmidt
Zoning Commissioner for Baltimore County
4th Floor, New Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: 6350 Frederick Road
Baltimore County Case #99-24-SPHXA

Dear Mr. Schmidt:

I manage the vacant lot directly in the rear of Lamana's Automotive and directly west of the proposed veterinarian office, for my mother, Dorothy Rigg Mohler. I also am part owner and manage the shopping center located at 6400 to 6414 Frederick Road, a center my father built in the 1920s.

I have known for some time that Dr. Burke was looking to expand and own her own veterinarian location and was fearful she would leave the area. I was very relieved to hear she has contracted to purchase 6350 Frederick Road. I have reviewed her site plan and am in full support of her proposal.

Her investment in the community will help to strengthen this area.

Sincerely,

James W. Mohler
James W. Mohler

JWM:am
JWM
Lamana-Burke-Zoning

cc: Dr. Cheryl Burke
Paradise
6433 Frederick Road
Catonsville, MD 21228

8/25

THOMAS J. LAMANA
LAMANA'S AUTO REPAIR
6352 Frederick Road
Catonsville, Maryland 21228

August 17, 1998

Mr. Lawrence Schmidt
Zoning Commissioner for Baltimore County
4th Floor, New Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: 6350 Frederick Road
Baltimore County Case #99-24-SPHXA

Dear Mr. Schmidt:

I own and occupy the property adjacent, and to the west of the property that is being purchased by Dr. Cheryl Burke. I have been in this location operating my auto repair shop since 1986.

I have been made aware of Dr. Burke's zoning request and addition and I am of full support of her proposal.

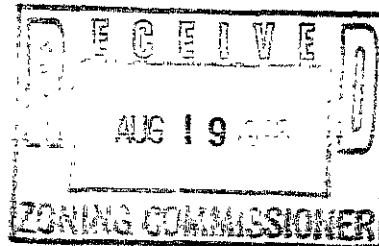
Dr. Burke's business is a great asset to the Paradise community and business district and I am delighted to hear she is staying and committing her own resources to this project.

Sincerely,


Thomas J. Lamana

TJL/JWM:am
JWM
Lamana-BurkeZoning

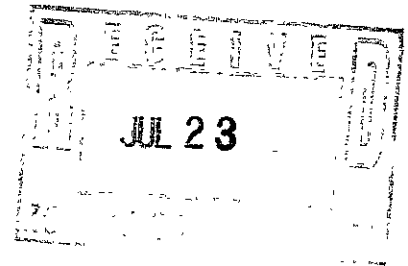
cc: Dr. Cheryl Burke
Paradise
6433 Frederick Road
Catonsville, MD 21228



WILLIAM MONK, INC.

ENGINEERS • PLANNERS
July 21, 1999

Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Suite 405, County Courts Building
401 Bosley Avenue
Towson, MD 21204



Subject: Case # 99-24-SPHXA:AKA Paradise Animal Hospital
6350 Frederick Road
Catonsville, MD

Dear Mr. Schmidt:

Pursuant to your order in the above-referenced case dated September 18, 1998, my client has engaged an architect and this engineering/planning firm to prepare detailed drawings to proceed with construction. During the course of these detailed studies, a number of minor changes to the plan were made. These include the following:

1. The need to construct the third floor of the animal hospital to house professional offices for the veterinarian doctors and the small caretaker's apartment is anticipated at this time. This additional construction was anticipated, made part of the record and referenced in your order. This results in an increase in square footage from the previously approved plan, although the footprint of the building has not been altered. This results in a slight increase in the number of parking spaces to meet the zoning code based upon the minimum requirement of 4.5 parking spaces per thousand square feet of gross floor area. The existing site plan can accommodate this increase (from 45 spaces to 51) while increasing the total impervious surface by less than 1400 sq. ft.
2. The storm-water-management pond proposed northeast of the parking lot will now be situated underground beneath the paved surface. This results in a significant reduction in the amount of the area being impacted in that the rear portion of the site will be left in its wooded condition. This will be consistent with DEPRM's comments that were made part of your order.

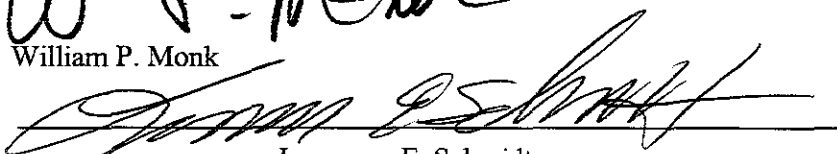
In summary, we believe that these changes are consistent with your previous order and do not necessitate any additional variances.

If you concur with this assessment, I ask that you sign in the space provided, and retain 1 copy for the file while returning the second copy to this office. Upon receipt of same, my client will proceed with the preparation of the development plan and at the time they file for building permits, we will submit a copy of this letter to verify compliance with your order.

Cordially,



William P. Monk



Lawrence E. Schmidt
Zoning Commissioner

7/26/99
Date

cc: Dr. Cheryl Burke

WILLIAM MCK, INC.**ENGINEERS • PLANNERS**

COURTHOUSE COMMONS, SUITE B-6
222 BOSLEY AVENUE, TOWSON, MD 21204-4300
410-494-8931 • FAX 410-494-9903

TO: FADM

LETTER OF TRANSMITTAL

Date <u>8-5-98</u>	Our Job No. <u>98-073</u>
Attention	
Re: <u>6350 FREDERICK ROAD</u>	
<u>99-24 SPHXA</u>	
<u>ITEM # 24</u>	

WE ARE SENDING YOU: ☒ Attached ☐ Under separate cover via _____ the following items:

- | | | | |
|--|---|---|--|
| <input checked="" type="checkbox"/> Prints | <input type="checkbox"/> Disk | <input type="checkbox"/> Specifications | <input type="checkbox"/> Shop drawings |
| <input type="checkbox"/> Plans | <input type="checkbox"/> Copy of letter | <input type="checkbox"/> Change order | <input type="checkbox"/> Other |

QTY.	DESCRIPTION	ACTION
12	REVISED SITE PLAN	
1	REVISED PLAN/APP. PRZ 8/100 ⁰⁰	

**DROP OFF
NO REVIEW
8/5/98**

THESE ARE TRANSMITTED AS CHECKED BELOW:

- | | | |
|---|--|---|
| <input type="checkbox"/> For approval | <input type="checkbox"/> As requested | <input type="checkbox"/> Prints returned after loan to us |
| <input type="checkbox"/> For your use | <input checked="" type="checkbox"/> For review and comment | <input type="checkbox"/> Per _____ |
| <input type="checkbox"/> For bids due _____ | <input type="checkbox"/> Other _____ | |

REMARKS:

COPY TO: _____

SIGNED: _____

If enclosures are not as noted, please notify us at once.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

BILL MONIK

222 BOSLEY AVE

SIDE D 6

TOWSON, MD 21204

Dr. Cheryl Burke-Schwartz

6433 Frederick Rd

Catonsville Md 21228

PAUL + EDITH BURKE

1305 S. ROLLING Rd

CATONSVILLE, MD.

21228

JAMES W. MOHLER

7 SOMERSET RD.

CATONSVILLE MD. 21228



WILLIAM MONK, INC.

ENGINEERS • PLANNERS



ALLEY RUNNING ALONG EAST PROPERTY LINE



WILLIAM MONK, INC.

ENGINEERS • PLANNERS



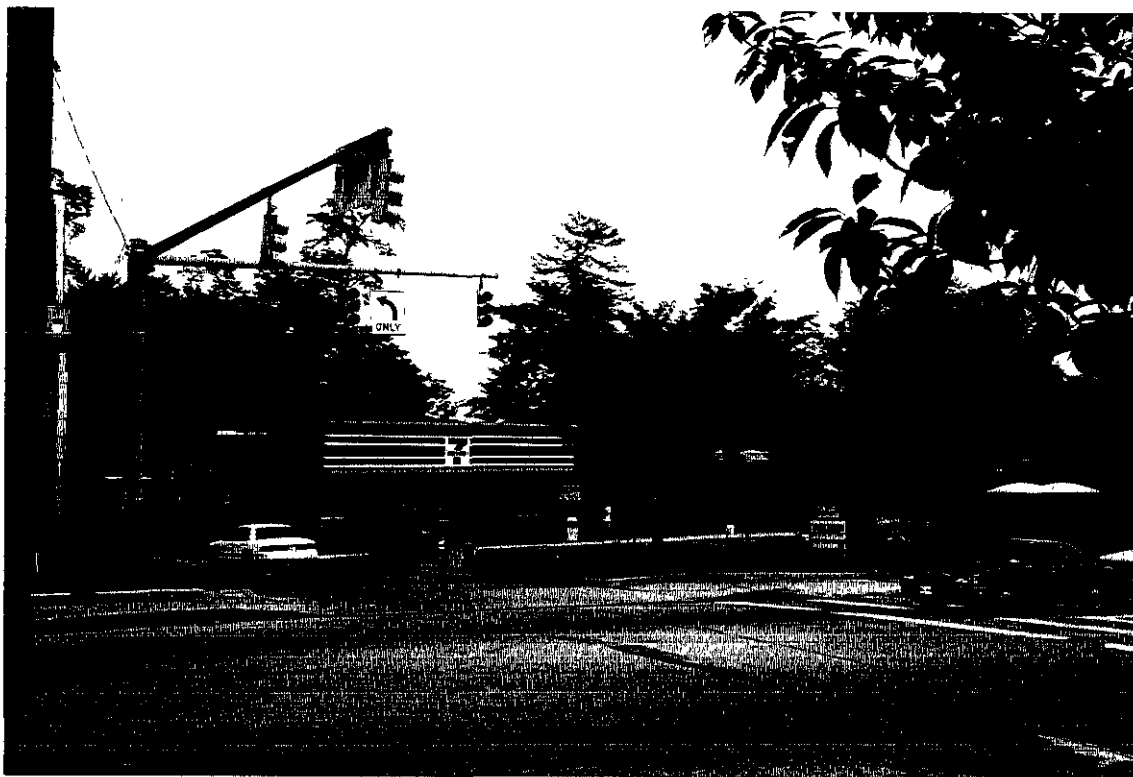
**EXISTING RETAIL BUILDING ADJACENT
TO ALLEY: VARIANCE REQUIRED**



WILLIAM MONK, INC.

ENGINEERS • PLANNERS

6350 FREDERICK ROAD



WILLIAM MONK, INC.

ENGINEERS • PLANNERS



FREDERICK ROAD VIEW LOOKING EAST



WILLIAM MONK, INC.

ENGINEERS • PLANNERS



**PARADISE AVE.
VIEW SOUTH FR.
ENTRANCE**

**FREDERICK RD.
VIEW WEST**



WILLIAM MONK, INC.

ENGINEERS • PLANNERS



ADJACENT LAND USES S.E. CORNER FREDERICK RD. @ PARADISE AVE.



WILLIAM MONK, INC.

ENGINEERS • PLANNERS



**ADJACENT
LAND USES
S.W. CORNER**

**ADJACENT
PROPERTY
WEST SIDE**





ADJACENT LAND USE WEST SIDE REAR



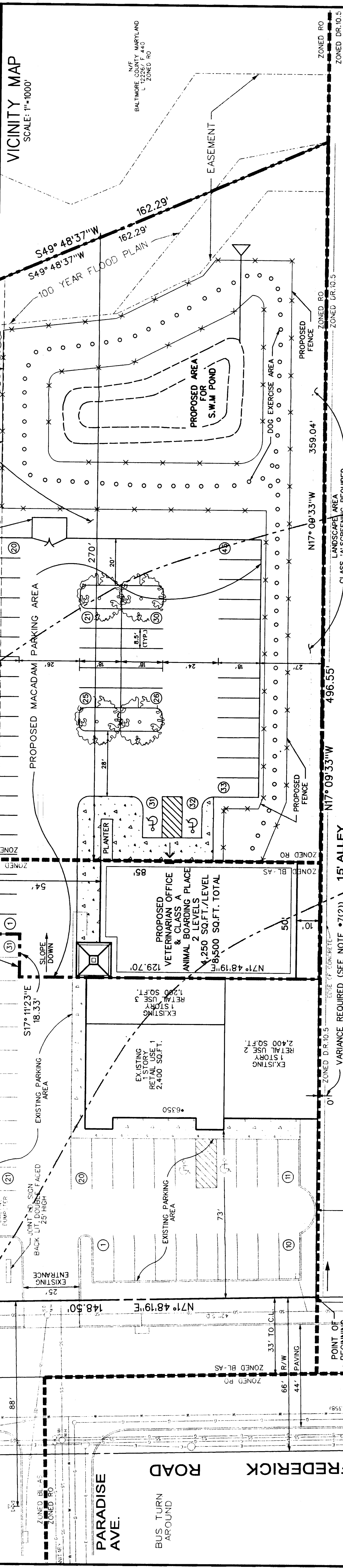
WILLIAM MONK, INC.

ENGINEERS • PLANNERS



VEHICULAR ACCESS TO REAR OF SITE





1. ZONING: EXISTING - BL-AS AND RO
2. LOT AREA: PROPOSED - BL-AS AND RO (NO CHANGE)
GROSS - 1.69 AC 74,020 SQ. FT.
NET - 1.59 AC 69,553 SQ. FT.
3. EXISTING USE: RETAIL CENTER
4. PROPOSED USE: RETAIL CENTER AND VETERINARIAN OFFICE.
5. SPECIAL EXCEPTION: BOARDING PLACE AND KENNEL
FOR ANIMALS. BOARDING
PLACE PER SECTION 230.13 BCZR AND TO UTILIZE A PORTION OF
THE RO ZONED AREA FOR A KENNEL/DOG EXERCISE AREA PER
SECTION 1801.C.18 AS STIPULATED AND LIMITED ON THE PLAN.
SPECIAL HEARING: TO ALLOW BUSINESS PARKING IN A
RESIDENTIAL ZONE.
7. VARIANCE: 1. SECTION 421.2 TO PERMIT THE CLASS 'A' ANIMAL
BOARDING PLACE AND THE KENNEL TO BE LOCATED LESS THAN 200' FROM THE NEAREST RESIDENTIAL ZONE.
2. SECTION 233.2.2.6 TO ALLOW A 0' SIDE YARD SETBACK
BECAUSE OF THE REQUIRED 10' FOR THE EXISTING COMMERCIAL
BUILDING.
8. BUILDING SETBACKS: REQUIRED: PROVIDED:
FRONT - 25' 77' (NO. CHANGE)
INTERIOR SIDE - 10' (ABUTS DR10.5 ZONE) 10'
REAR - 20' (ABUTS RO ZONE) 270'
BUILDING AREA: EXISTING - 6,000 SQ. FT.
PROPOSED - 4,250 SQ. FT. 2 LEVELS = 8,500 SQ. FT.
TOTAL 14,500 SQ. FT.
10. PARKING (EXISTING): REQUIRED - 6,000 S.F. 5/1,000 - 30 SPACES
EXISTING: PROVIDED - 31
PARKING (PROPOSED RETAIL):
PROPOSED: REQUIRED - 8,500 S.F. 5/1,000 - 43 SPACES
PROVIDED - 45

21. FLOOR AREA RATIO (BL ZONE ONLY):
MAXIMUM PERMITTED - 3.0

22. PROPOSED - 0.51
23. HEIGHT OF PROPOSED BUILDING: NOT TO EXCEED 35' NOT
24. WITHSTANDING THE REQUIREMENTS OF SECTION 231b.
25. ADJACENT LOT: ADJACENT N/A
26. TO THE BEST OF OUR KNOWLEDGE NO CRITICAL AREAS EXIST ON THE
27. SITE.
28. TO THE BEST OF OUR KNOWLEDGE NO HAZARDOUS AREAS EXIST ON THE
29. SITE.
30. MINUTE OPEN SPACE: N/A
31. HANDICAP RAMPS TO BE PROVIDED AS REQUIRED BY CODE.
32. SIGNAGE: SIGNAGE TO BE IN CONFORMANCE WITH SECTION 450 (BCZR)
33. PREVIOUS ZONING PERMIT: N/A
34. ZONING HEARINGS: N/A
35. 75-251-SPH, 6-4-75 REQUEST FOR OFF-STREET PARKING IN
36. RESIDENTIAL ZONE DENIED.
37. 77-76-X, 10-27-76 SPECIAL EXCEPTION FOR OFFICE BUILDING
38. DENIED.
39. 77-76-X APPEALED, GRANTED 2-27-79
40. PROPERTY

18. DEED REFERENCE 36277015
19. PROPERTY ACCOUNT NO.: 0112740650
20. TAX MAP 101, GRID 3, PARCEL 127

NOTE :
PLAN IS BASED ON EXISTING INFORMATION
SUPPLIED BY THE PROPERTY OWNER

PLAT OF "BRIARWOOD":
12/121

William Monk, Inc.
ENGINEERS - PLANNERS

Courthouse Commons
233 Bosley Avenue, Suite B-6
Towson, Maryland 21204
Phone: 410-494-8931 Fax: 410-494-9903

PLAT TO ACCOMPANY
SPECIAL EXCEPTION, SPECIAL HEARING
AND VARIANCE APPLICATION

FOR

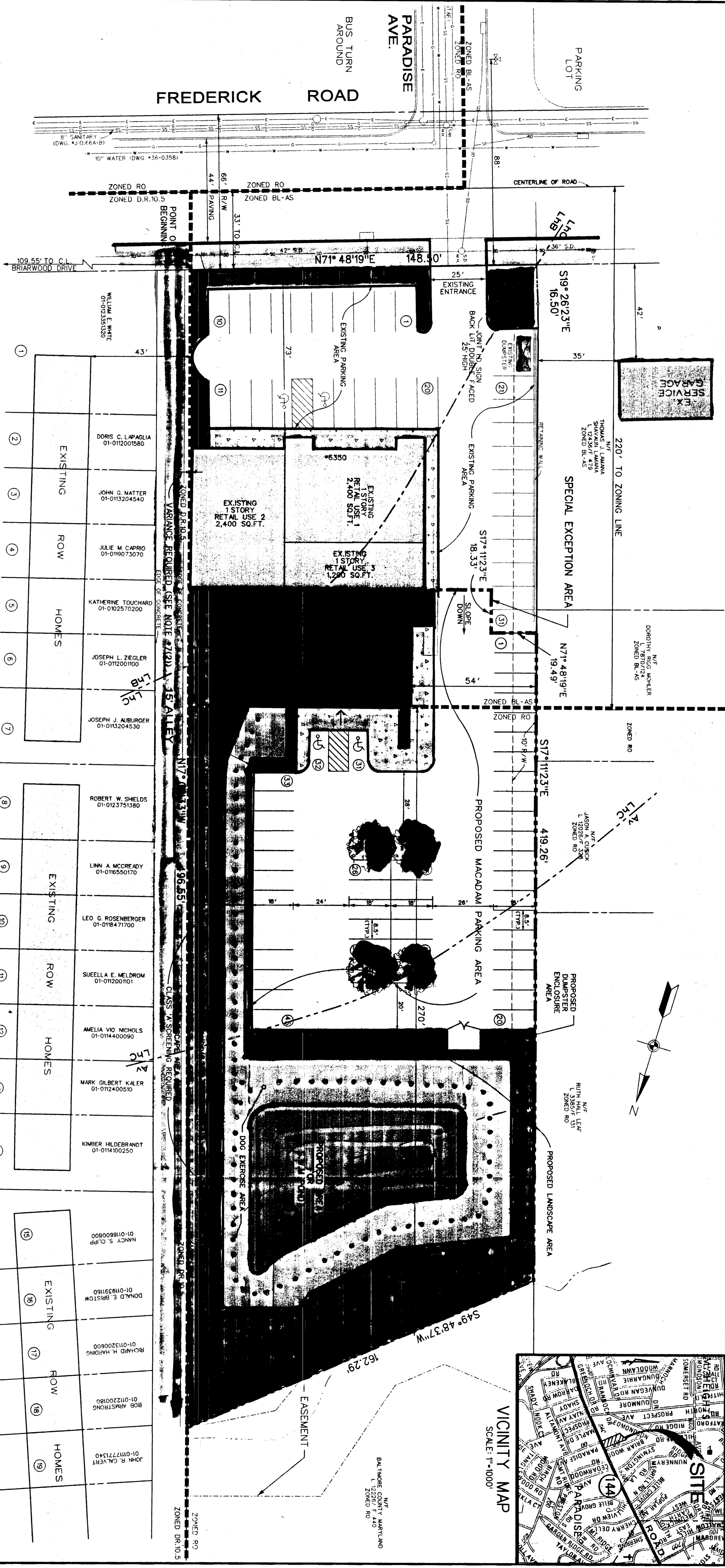
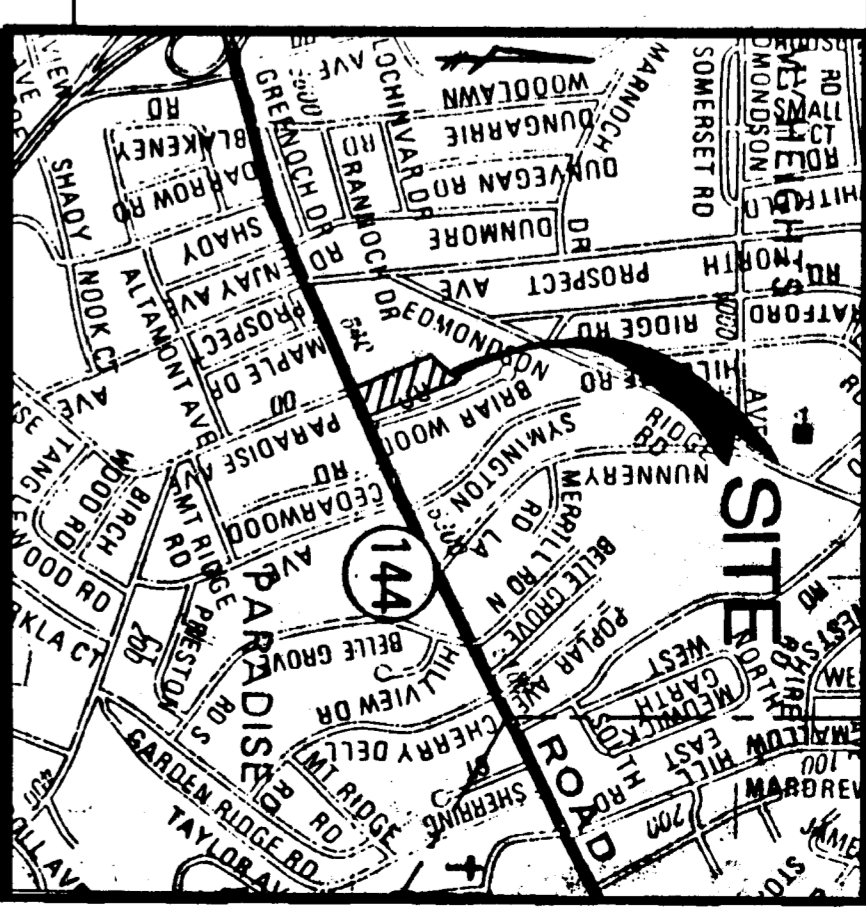
PARADISE ANIMAL HOSPITAL

6350 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

REVISIONS 7-14-98 PER ZONING
8-4-98 REV. DOG EXERCISE AREA
09.24.504XA

Rev 8/5/98

DRAWN BY: MGH	DESIGNED BY: WPM	SCALE: 1"=20'
DATE: 7-8-98	JOB NO.: 980-73	SHEET NO.: 1 OF 1



William Monk, Inc.
ENGINEERS - PLANNERS

222 Bayview Avenue, Suite 200
Baltimore, Maryland 21204
Phone: 410-481-0000 Fax: 410-481-0001

PLAT TO ACCOMPANY
SPECIAL EXCEPTION, SPECIAL HEARING
AND VARIANCE APPLICATION
FOR
PARADISE ANIMAL HOSPITAL
6350 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

REVISION 7-14-98 PER ZONING
6-4-98 REV. DOG EXERCISE AREA

DATE	BY	DESIGNED BY	SCALE
7-9-98	WGL	WGL	1"=40'
			SHEET NO. 1 OF 1

NOTE: PLAN IS BASED ON EXISTING INFORMATION SUPPLIED BY THE PROPERTY OWNER



- NOTES:**
1. ZONING - EXISTING - BL-AS AND RO. PROPOSED - BL-AS AND RO (NO CHANGE).
 2. LOT AREA GROSS - 1.89 AC. 74,020 SQ. FT. NET - 1.59 AC. 69,553 SQ. FT.
 3. EXISTING USE: RETAIL CENTER AND VETERINARY OFFICE.
 4. PROPOSED USE: ANIMAL HOSPITAL AND BOARDING FACILITY.
 5. SPECIAL EXCEPTION: TO ALLOW A CLASS "A" ANIMAL BOARDING PLACE PER SECTION 220.13 BCZM AND TO UTILIZE A PORTION OF THE RO ZONED AREA FOR A KENNEL/DOG EXERCISE AREA PER SECTION 220.13 BCZM AND LIMITED ON THE PLAN.
 6. SPECIAL VARIANCE: TO ALLOW BUSINESS PARKING IN A RESIDENTIAL ZONE.
 7. VARIANCE: 1. SECTION 421.2 TO PERMIT THE CLASS "A" ANIMAL BOARDING PLACE AND THE KENNEL TO BE LOCATED LESS THAN 200' FROM THE NEAREST RESIDENTIAL ZONE. 2. SECTION 223.2b TO ALLOW A 0 SIDE YARD SETBACK BUILDING OF THE REQUIRED 10' FOR THE EXISTING COMMERCIAL BUILDING. 3. SECTION 223.2c TO ALLOW A 0 SIDE YARD SETBACK BUILDING OF THE REQUIRED 10' FOR THE EXISTING COMMERCIAL BUILDING.
 8. BUILDING SETBACKS - REQUIRED - PROVIDED - FRONT - 26' - 10' (ABUTS DR. 0.5 ZONE) - 10' (NO CHANGE) INTERIOR SIDE - 20' (ABUTS RO ZONE) - 270' REAR - 20' (ABUTS RO ZONE) - 270'
 9. BUILDING AREA REQUESTED - 6,000 SQ. FT. 2 LEVELS - 8,500 SQ. FT. TOTAL 14,500 SQ. FT.
 10. PARKING (EXISTING RETAIL) - 6,000 S.F. @ 5/1,000 - 30 SPACES EXISTING (PROPOSED RETAIL) - 8,500 S.F. @ 5/1,000 - 43 SPACES PARKING (PROPOSED RETAIL) - 8,500 S.F. @ 5/1,000 - 43 SPACES PROVIDED - 45
 11. SECTION 409.8B. IN ADDITION TO ALL OTHER APPLICABLE REQUIREMENTS, SUCH PARKING FACILITIES SHALL BE SUBJECT TO THE FOLLOWING: A. THE LOT AND SO USED IS PART OF THE LOT OF THE BUSINESS INVOLVED. B. ONLY PASSENGER VEHICLES, EXCLUDING BUSES, MAY USE THE LOT. C. NO LOADING, SERVICE OR ANY USE OTHER THAN PARKING OF PASSENGER VEHICLES IS ALLOWED. D. LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, CLARE AND INTENSITY, AS REQUIRED. E. THE PLAN REFLECTS THE PARKING ARRANGEMENT AND VEHICLE ACCESS. F. PRIVATE MAINTENANCE AND CONTROL OF THE LOT AS SET FORTH IN THE PLAN SHALL BE THE RESPONSIBILITY OF THE BUSINESS. G. ANY CONDITIONS NOT LISTED ABOVE WHICH, IN THE JUDGMENT OF THE ZONING COMMISSIONER, ARE NECESSARY IN THE JUDGMENT THAT THE PARKING FACILITY WILL NOT BE DETRIMENTAL TO ADJACENT PROPERTIES.
 12. UTILITIES - SEWER - PUBLIC 8" SEWER IN FREDERICK ROAD WATER - PUBLIC 10" WATER IN FREDERICK ROAD ELECTION DISTRICT: 1ST 14. COUNCILMANIC DISTRICT: 1ST 15. ZONING DISTRICT: 15006 16. WATERSHED: 25 17. SUBSEWERSHED: 11 18. DEED REFERENCE: 5627/015 19. PROPERTY ACCOUNT NO.: 012740650 20. TAX MAP 101, GRID 3, PARCEL 127